

**ZONING COMMITTEE  
MINUTES  
WEDNESDAY, JULY 13, 2011**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, July 13, 2011** in Committee Room #2, at 9:41 a.m.

The following members were present:

**The Honorable Aaron Watson, Chair  
The Honorable Cleta Winslow, Vice Chair  
The Honorable Keisha Lance Bottoms  
The Honorable Carla Smith  
The Honorable Ivory Lee Young, Jr.  
The Honorable Kwanza Hall  
The Honorable Howard Shook**

Others present at the meeting were: Brandy Crawford, Senior Planner, Department of Planning and Community Development; City Attorneys Lem Ward and Jeffery Haymore, Law Department and members of the public and Council staff.

- A. ADOPTION OF AGENDA - ADOPTED AS AMENDED BY ADDING 2 FIRST READS**
- B. APPROVAL OF MINUTES APPROVED**
- C. ZRB SUMMARY REPORT**
- D. PAPERS HELD IN COMMITTEE**

10-O-0013 ( 1)      An Ordinance by Councilmember Aaron Watson **as**  
**Z-07-113**            **substituted and amended by Zoning Committee** to rezone  
from the I-1-C (Light Industrial-Conditional) District to the  
MRC-3 (Mixed Residential Commercial) District, property  
located at 430 and 460 Englewood Avenue, SE, fronting  
approximately 678 feet on the north side of Englewood  
Avenue beginning approximately 132 feet from the northeast  
corner of Mailing Avenue. **(Substituted as amended and  
held 1/13/10 at the request of the District  
Councilmember)**

Depth:            Approximately 1,010 Feet  
Area:             Approximately 10.32 Acres  
Land Lot:        42, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:           JWGST LLC/Joseph Wiles  
Applicant:       Jason Fritz  
**NPU-Y**

**Council District 1**

**HELD**

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**D. PAPERS HELD IN COMMITTEE (CONT'D)**

10-O-0018 ( 2)  
Z-08-73

An Ordinance by Councilmember Aaron Watson **as substituted and amended by Zoning Committee** to rezone from the R-4 (Single Family Residential) and NC-2 (Neighborhood Commercial) Districts to the NC-2 (Neighborhood Commercial) District, properties located at **1146 Portland Street, SE, 1152 Portland Street, SE, 1131 Glenwood Avenue, SE, 1137 Glenwood Avenue, SE 525/527 Moreland Avenue, SE, 529 Moreland Avenue, SE, 535 Moreland Avenue, SE and 537 Moreland Avenue, SE**, fronting approximately 250 feet on the north side of Portland Avenue, approximately 300 feet on the west side of Moreland Avenue and approximately 250 feet on the south side of Glenwood Avenue. **(Substituted and held 1/13/10 at the request of the District Councilmember)**

**HELD**

10-O-0035 ( 3)  
**U-09-22**

An Ordinance by Councilmember Aaron Watson granting a Special Use Permit for a Day Care Center pursuant to Section 16-08.005 (l) (b) for property located at **3751 Martin Luther King, Jr. Drive, SW**, fronting approximately 165 feet on the southeasterly side of Martin Luther King, Jr. Drive at the northeastern intersection of Martin Luther King, Jr. Drive and Bolton Road. **(Held 1/27/10 at the request of the District Councilmember)**

Depth: Varies  
Area: Approximately 5.8 Acres  
Land Lot: 15, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Charitable Connections, Inc.  
Applicant: Charitable Connections, Inc./Michelle R. Uchiyema

**NPU-H**

## Council District 10

## HELD

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**D. PAPERS HELD IN COMMITTEE (CONT'D)**

10-O-1473 ( 4)  
**U-10-24**

An **Amended** Ordinance by Zoning Committee granting a Special Use Permit under the provisions of Section 16-06.005(l)(g) for a Personal Care Home, property located at **2695 Dodson Terrace, SW**, fronting 75 feet on the north side of Dodson Terrace and approximately 480 feet west of the intersection of Dodson Terrace and Dodson Drive. **(Held 9/29/10) (Held at the request of the District Councilmember)**

Depth: Varies

Area: Approximately 0.2894 Acre

Land Lot: 199, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Nnenna M. Ekeke

Applicant: Nnenna M. Ekeke

**NPU-R**

**Council District 11**

**HELD**

10-O-1886 ( 5)  
**Z-10-29**

An Ordinance by Zoning Committee to rezone property from the R-5 (Two Family Residential) District to the R-4B (Single-Family Residential) District, for property located at **815 Kirkwood (a.k.a. 812 Harold Avenue), SE**, property fronting approximately 50 feet on the north side of Harold Avenue beginning 400 feet from the west side of Chester Avenue. **(Held 3/2/11) (Held at the request of the District Councilmember)**

Depth: 100 Feet

Area: Approximately 0.114 Acre

Land Lot: 20, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Drum Custom Renovations, LLC

Applicant: Nathan J. Boston

**NPU-N**

**Council District 5**

**HELD**

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**D. PAPERS HELD IN COMMITTEE (CONT'D)**

- 11-O-0824 ( 6)     An Ordinance by Zoning Committee to amend Section 6-4028 and to create Section 6-4028.1 of the Land Development Code, Part III of the Code of Ordinances, so as to change the Deferral Fee for Variance and Special Exception Applications before the Board of Zoning Adjustment to a flat fee for each instance that the Board grants an applicant's request for deferral to a subsequent public hearing on the application; and for other purposes. **(Held 6/15/11) (To be Advertised for a Public Hearing)**

**HELD**

- 11-O-0449 ( 7)     An **Amended** Ordinance by Zoning Committee granting a Special Use Permit under the provisions of Section 16-06.005 (l)(g) for a Personal Care Home, property located at **3451 Valley Ridge Terrace, SW**, fronting approximately 75 feet on the south side of Valley Ridge Terrace, approximately 280 feet to east of the intersection of Valley Ridge Drive and Valley Ridge Terrace. **(Referred back by the Full Council 6/20/11) (Held 6/29/11 at the request of the District Councilmember)**

Depth:            Approximately 170 Feet  
Area:             Approximately 0.293 Acre  
Land Lot:        250, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:           Tariq Davis  
Applicant:       Tariq Davis

**NPU-P**

**Council District 11**

**HELD**

**E. ITEMS NOT ON THE AGENDA**

- 11-O-1066 ( 1)     An Ordinance by Zoning committee to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the SPI-15 Lindbergh Transit Station Area Special Public Interest District, Subarea 3 Piedmont Commercial Corridor Regulations, Section 16-18O.028(4), so as to remove the

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**E. ITEMS NOT ON THE AGENDA (CONT'D)**

requirement that a minimum of 20% of the floor area of proposed commercial uses be developed as residential dwelling uses on certain parcels of land; and for other purposes.

**FAVORABLE TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

- 11-O-1067 ( 2)      An Ordinance by Zoning Committee to rezone property known as **690 Lindbergh Drive, 723-745 Morosgo Drive, 2472-2480 Adina Drive and 2455 Piedmont Road**, from the SPI-15 Subarea 8 (Special Public Interest Lindbergh Transit Station Area, Subarea 8, Lindberg Residential) to the SPI-15 Subarea 3 (Special Public Interest Lindbergh Transit Station Area Subarea 3 Piedmont Commercial) Zoning District; fronting approximately 1,500 feet on the north side of Lindbergh Drive, approximately 1,200 feet on the south side of Morosgo Drive, and approximately 800 feet on the west side of Adina Drive north, and 60 feet on the east side of Piedmont Road.

Area:                      Approximately 21.87 Acres

Land Lot:                48, 17<sup>th</sup> District, Fulton County, Georgia

Owner:                  Buckhead at Lindbergh, LLC, Buckhead South, LLC, and San Lucia Land, LLC;

**NPU-B**

**Council District 7**

**FAVORABLE TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

**LINK TO ZRB PENDING LEGISLATION**

<http://citycouncil.atlantaga.gov/2011/pendingzrb.htm>

**SUMMARY REPORT**  
**July 13, 2011**

<b>LEGISLATION NUMBER</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM.</b>	<b>NPU RECOMM.</b>	<b>ZRB RECOMM.</b>
<b><u>FAVORABLE AS AMENDED</u></b>						
11-O-0692	U-11-16	544 North Angier Avenue, N.E. M-2	Special Use Permit for Transfer of Development Rights	Approval Conditional	Approval	Approval Conditional
11-O-0693	U-11-17	641 (aka 665) North Avenue, N.E. M-2	Special Use Permit for Transfer of Development Rights	Approval Conditional	Approval	Approval Conditional
11-O-0857	U-11-18	690 Morgan Street, N.E. aka as Parcel 14-0018-0001-026-5 M-2	Special Use Permit for Transfer of Development Rights	Approval Conditional	Approval	Approval Conditional
10-O-0648	Z-10-09	972 Berne Street and 610 and 614 Vernon Avenue, S.E. W-1	R-4 to PDH	Approval Conditional	Approval Conditional	Approval Conditional

Councilmember Smith made a motion favorable as amended. The vote was unanimous.

**ADVERSE**

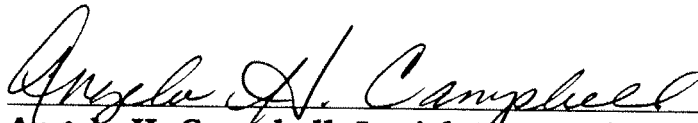
11-O-0236	U-11-04	610 Trusco Way, S.W. T-4	Special Use Permit for an Automobile Salvage Yard	Denial	Denial	Denial
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Councilmember Young made a motion to adverse. The vote was unanimous.

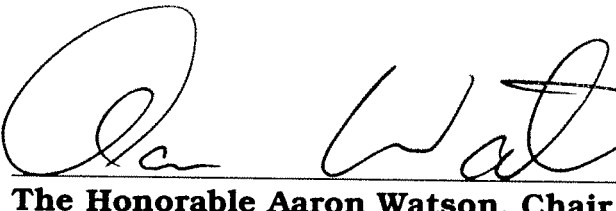
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**There being no further business to come before the Zoning Committee the meeting was adjourned at 9:47 a.m.**

**Respectfully submitted:**

  
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**Angela H. Campbell, Legislative Assistant**

  
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**Alfred Berry, Jr., Research & Policy Analyst**

  
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**The Honorable Aaron Watson, Chair**